



CYNTHIA D. BANKS
Director

**COMMUNITY AND SENIOR SERVICES
OF LOS ANGELES COUNTY**

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"To Enrich Lives Through Effective And Caring Service"

BOARD OF SUPERVISORS

GLORIA MOLINA
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May 19, 2009

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

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MAY 19, 2009

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**AUTHORIZATION TO ACCEPT OLDER AMERICANS ACT TITLE III-D GRANT
AWARDS AND CONTRACT AMENDMENTS AND
APPROVAL TO EXECUTE A SOLE SOURCE CONTRACT WITH
FOOD AND NUTRITION MANAGEMENT SERVICES FOR THE PROVISION OF
EFFECTIVE NUTRITIONAL HEALTH ASSESSMENT AND NETWORKS OF CARE
FOR THE ELDERLY (ENHANCE) SERVICES
(ALL SUPERVISORIAL DISTRICTS) (3-VOTES)**

SUBJECT

Community and Senior Services (CSS) seeks delegated authority to: 1) accept Older Americans Act (OAA) and Older Californians Act (OCA) grant awards and contract amendments from the California Department of Aging (CDA) for the funding period beginning July 1, 2009 through June 30, 2010, and for one optional twelve-month extension; 2) execute a sole source contract with Food and Nutrition Management Services (FNMS) for the provision of one-to-one services to seniors who have diabetes and/or are at moderate or high nutritional risk, and their primary caregivers; 3) execute contract amendments within the contract and extension term to increase or decrease the contract amount; and 4) execute a cost of living adjustment to the contracted agency.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Authorize the Director of CSS, or designee, from the Los Angeles County Area Agency on Aging (AAA), Planning and Service Area (PSA) 19, to accept estimated

funding for the FY 2009-2010 OAA Title III-D grant award of \$356,000 from the CDA (Contract # AP-0910-19) for the provision of ENHANCE services for older adults aged 60+. The funding amount is estimated subject to the availability of funds received from the State each fiscal year.

2. Delegate authority to the Director of CSS, or designee, to accept OAA Title III-D grant awards and any amendments thereto from the CDA for the contract period beginning July 1, 2009 through June 30, 2010, under CDA contract number: AP-0910-19 for Fiscal Year (FY) 2009-2010, and AP-1210-11 for one optional 12-month extension for FY 2010-2011; and execute annual contracts and all future contract amendments with the CDA required for acceptance of these funds provided that: a) the referenced CDA contract numbers do not change during the one-year contract period or 12-month optional extension and b) the Director of CSS, or designee, notifies your Board and the Chief Executive Office (CEO) in writing within ten workdays of accepting the funding.
3. Delegate authority to the Director of CSS, or designee, to negotiate and execute a contract with FNMS for the provision of specialized ENHANCE program services for a one-year contract term effective July 1, 2009 through June 30, 2010, and one optional 12-month extension for FY 2010-2011 after County Counsel (Counsel) and CEO approval of the contract as to form. Overall funding for this agency is subject to the availability of funds each fiscal year and the agency's performance in meeting the goals of the ENHANCE program in the County.
4. Authorize the Director of CSS, or designee, to execute contract amendments as needed throughout the contract term effective July 1, 2009 through June 30, 2010, and one optional 12-month extension for FY 2010-2011, to increase or decrease the maximum contract amount in response to State funding and based on contractor performance and the total funds available provided that: (a) the reimbursement rates do not exceed the maximum allowed rates as indicated in Attachment A and the total allocation does not exceed funding availability (b) approvals of Counsel as to form and the CEO are obtained prior to any such amendment and (c) the Director of CSS, or designee, confirms in writing to your Board and the CEO within 30 days after such amendments have been executed.
5. Authorize the Director of CSS, or designee, to execute and approve Cost of Living Adjustment (COLA) increases or decreases to the contracted agency at the Director's discretion consistent with the County's established policy and contract language.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The recommended actions will enable CSS to continue administration of the ENHANCE Program for the contract term beginning July 1, 2009 through June 30, 2010, and allow

for one optional 12-month extension for FY 2010-2011. This program provides a triage service delivery system to identify and serve those at highest risk for malnutrition and nutrition-related health problems, such as seniors throughout the County who have diabetes and/or are at moderate or high nutritional risk.

The types of services provided through the ENHANCE Program include, but are not limited to, the following: nutrition screening, counseling and intervention for improved nutrition, medication management, disease prevention and health promotion, weight loss and control through physical fitness activities, stress management, and fall prevention for seniors age 60 years and older who have diabetes and/or a nutrition risk score of six or higher and are currently receiving services in a CSS AAA-funded care management program, support services program, and/or Elderly Nutrition Program (ENP) at congregate sites or through home-delivered meals.

Performance Measures

To comply with federal and State funding source requirements and Los Angeles County's *Performance Counts!* Initiative, CSS has developed the following performance standards to measure program effectiveness for the ENHANCE Program:

- Improve or maintain seniors' health through disease prevention and health promotion services;
- Increase moderate to high risk seniors' participation in disease prevention and health promotion clinics; and
- Increase medication management reviews.

Implementation of Strategic Plan Goals

The recommended actions support the County's Strategic Plan Goals: Goal #1 Operational Effectiveness, Goal #2 Children, Family and Adult Well-Being, and Goal #4 Health and Mental Health.

FISCAL IMPACT/FINANCING

The recommendations have no impact on Net County Cost. The ENHANCE Program is financed with OAA and OCA grant funds received from the CDA annually. The total estimated available funds for the ENHANCE Program for FY 2009-2010 is \$350,000.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The previous ENHANCE Program contract with FNMS was obtained via a Request for Proposals (RFP) in FY 2002-2003 for a four-year funding period effective July 2003 through June 2007. The contract was subsequently extended with the approval of the CDA and will expire on June 30, 2009.

CSS released a Request for Information (RFI) in November 2008 to solicit statements of interest from qualified vendors to provide services to those at highest risk of malnutrition and nutrition-related health problems. The contract period advertised in the RFI was July 1, 2009 through June 30, 2013, for a four-year term. However, CSS has determined it is in the best interest of the County to reduce the contract period to one year commencing July 1, 2009 through June 30, 2010, with one optional 12-month extension for FY 2010-2011 contingent upon the availability of funds and contractor performance. This will allow sufficient time for a full competitive procurement to determine if there are any additional qualified and appropriate vendors in an effort to build capacity in the community.

CSS received State approval to solicit through the release of an RFI and anticipates contracting via a Noncompetitive Award under Title 22, Section 7360 of the California Code of Regulations (CCR).

The ENHANCE Program contract contains COLA language that is consistent with current County policy. FNMS, recommended for funding, is in compliance with all Board and CEO requirements. The CEO has reviewed and concurs with the recommended actions.

Counsel has reviewed this Board letter. The approval of Counsel and the CEO as to form will be obtained prior to execution of the contract. CSS has notified the Board and the CEO of its intention to procure by negotiation via a sole source contract with FNMS. The required Sole Source Checklist has been approved by the CEO and is included as Attachment B.

CONTRACTING PROCESS

In November 2008, CSS released a RFI to identify qualified agencies to provide nutritional health assessment services and care networks. CSS sent over 400 letters of interest from a compiled address list to potential vendors in all supervisorial districts, including AAA Advisory Council and Los Angeles County Commission on Aging (LACCOA) members and current AAA-funded agencies. Release of the RFI was also published in multiple greater Los Angeles County newspapers such as the Los Angeles Times, Hoy and the L.A. Watts Times. The RFI was posted and available on the CSS, Internal Services Department (ISD) and County Office of Small Business (OSB) websites.

Three Statements of Interest were received. Two of the respondents (interested vendors) did not meet the minimum qualifications nor were the respondents able to demonstrate the experience and staffing capability to provide the services as outlined in the RFI. FNMS (the current and only contracted agency) provided a statement of interest that clearly demonstrated the agency's ability to provide the specialized

ENHANCE Program services countywide. The agency's experienced staff is able to perform the required tasks cost-effectively without an excessive learning curve.

FNMS has been the only provider of ENHANCE Program services for the County of Los Angeles since the program's inception in 1995 (over 13 years). The agency maintains a qualified staff of Registered Dietitians (RDs), Psychologists, and Exercise Therapists experienced in providing the array of nutrition education, counseling, assessment, and physical fitness activities for older adults as required for the program. In addition, the RDs work closely with the client's physician to obtain and maintain written diet orders and with pharmacists to conduct one-on-one medication reviews to ensure the correct medications are provided and to review potential food and medication interactions.

FNMS has been instrumental in conceiving and developing the unique ENHANCE "BE WELL" Program, which is an innovative award-winning weight management and exercise program. "BE WELL" is designed to serve seniors at high nutrition risk with multiple chronic diseases through their participation at the congregate meals setting.

FNMS is being recommended for funding through a noncompetitive award under Title 22, Section 7360 of the CCR as a result of inadequate competition. Although CSS met all solicitation requirements including: wide dissemination and advertising of the RFI, specifications that were reasonable, allowing a significant time frame for submission, a realistic timeline for delivery and performance, and the solicitation of a number of sources, only one agency met the minimum requirements for the program and demonstrated the capability to perform the required scope of work.

The ENHANCE Program contract is not a Proposition A contract in which living wage laws would be applicable. CSS is not capable of providing the direct nutritional health assessment and network of care services.

Monitoring

Monitoring of the ENHANCE Program will be conducted on an annual basis and will include administrative and programmatic monitoring to ensure contract compliance. Program monitoring is accomplished through the CSS Contract Compliance Division. Fiscal compliance monitoring will be conducted biannually by an approved vendor procured through the Auditor-Controller.

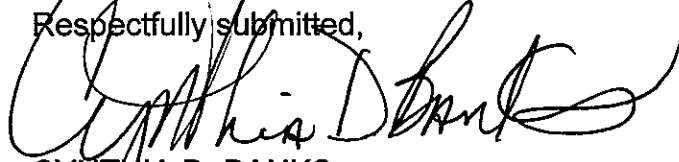
IMPACT ON CURRENT SERVICES

The recommended actions will assure the continuation of the ENHANCE Program services throughout the County of Los Angeles enabling older adults to continue healthy, independent living.

CONCLUSION

Upon Board approval, please mail one copy of the adopted Board letter to Ms. Sonja Ivey-Rojas, CSS, 3175 West Sixth Street, Room 403, Los Angeles, CA, 90020. If you need to contact Ms. Ivey-Rojas, her telephone number is (213) 351-8917.

Respectfully submitted,



CYNTHIA D. BANKS
Director

CDB:OS:MQ:
CD:SIR

Attachments (2)

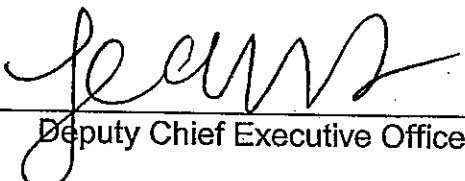
c: Chief Executive Officer
Acting County Counsel
Executive Officer, Board of Supervisors

**COMMUNITY AND SENIOR SERVICES
LOS ANGELES COUNTY AREA AGENCY ON AGING (AAA)
EFFECTIVE NUTRITIONAL HEALTH ASSESSMENT AND NETWORKS OF CARE
FOR THE ELDERLY (ENHANCE) PROGRAM
FY 2009-2010 REIMBURSEMENT RATES**

| Required Unit of Service | Unit of Measurement | Maximum Unit Rate per Hour |
|----------------------------------------------------|-----------------------------------------|-----------------------------------|
| Nutrition Counseling: | | |
| • Nutrition Screening | Thirty (30) minutes per client screened | \$50.00 |
| • Nutrition Assessment | One (1) hour | \$50.00 |
| • Nutrition Care Plan | One (1) hour | \$50.00 |
| • Nutrition Intervention | One (1) hour | \$50.00 |
| • Follow-up Services | One (1) hour | \$50.00 |
| • Physician Order | One (1) hour | \$50.00 |
| Medication Management: | | |
| • Pharmacy Medical Review | One (1) hour | \$50.00 |
| • Food and Medication Interaction | One (1) hour | \$50.00 |
| Health Promotion/Disease Prevention Clinic: | | |
| • Nutrition Support Group | One (1) session | \$45.00 |
| • Physical Fitness | One (1) session | \$45.00 |
| • Nutrition Education | One (1) session per participant | \$45.00 |
| In-service Training for Registered Dietitians | One (1) hour | \$45.00 |
| Technical Assistance/Case Conference | One (1) hour | \$45.00 |
| MIS/Statistical Analysis | One (1) hour | \$45.00 |
| AAA Discretionary Units/Program Development | One (1) hour | \$45.00 |

SOLE SOURCE CHECKLIST

ATTACHMENT B

| Check (✓) | JUSTIFICATION FOR SOLE SOURCE CONTRACTS Identify applicable justification and provide documentation for each checked item. |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| | ➤ Only one bona fide source for the service exists; performance and price competition are not available. |
| | ➤ Quick action is required (emergency situation). |
| ✓ | ➤ Proposals have been solicited but no satisfactory proposals were received. |
| | ➤ Additional services are needed to complete an ongoing task and it would be prohibitively costly in time and money to seek a new service provider. |
| | ➤ Maintenance service agreements exist on equipment which must be serviced by the authorized manufacturer's service representatives. |
| | ➤ It is most cost-effective to obtain services by exercising an option under an existing contract. |
| ✓ | ➤ It is in the best interest of the County e.g., administrative cost savings, excessive learning curve for a new service provider, etc. |
| | ➤ Other reason. Please explain: |
| <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div data-bbox="186 1291 885 1495">  Deputy Chief Executive Officer, CEO </div> <div data-bbox="917 1291 1339 1495"> <div style="text-align: right;">4/30/09</div> <div style="text-align: right;">Date</div> </div> </div> | |

**COUNTY OF LOS ANGELES – COMMUNITY AND SENIOR SERVICES
SOLE SOURCE CHECKLIST JUSTIFICATION**

This documentation is provided as justification for the CSS request to the Board for authorization to execute a sole source contract with Food and Nutrition Management Services (FNMS) for the provision of the Effective Nutritional Health Assessment and Networks of Care for the Elderly (ENHANCE) Program. CSS anticipates contracting with FNMS via a Noncompetitive Award under Title 22, Section 7360 of the California Code of Regulations (CCR) as a result of inadequate competition.

The applicable justification for this Sole Source request is as follows:

- Proposals have been solicited but no satisfactory proposals were received.

In November 2008, CSS released a Request for Information (RFI) with the intent to identify potential agencies qualified to provide the nutritional assessment services countywide. CSS advertised and posted the RFI according to the federal, State and County requirements.

CSS received three Statements of Interest and one resume in response to the RFI. The individual who submitted the resume did not respond to the instructions of the RFI nor did the individual demonstrate the capacity of meeting the minimum requirements outlined in the RFI. Two of the agencies, although able to demonstrate experience working with seniors, did not clearly demonstrate the capability to provide the specialized one-to-one nutrition-related health assessment services, or services equivalent or similar, to those required for the ENHANCE Program. The agencies also did not clearly demonstrate the staffing capacity to fulfill the requirements for the ENHANCE program Countywide.

- It is in the best interest of the County (e.g., administrative cost savings, excessive learning curve for a new service provider, etc.)

Although previously procured through the Request for Proposal (RFP) process, ENHANCE Program services have been provided throughout the County by FNMS over the past 13 years. This agency has a long-standing record of experience and the demonstrated staffing capacity to provide the crucial one-to-one nutrition screenings, assessments, care planning, counseling and intervention needed to improve the nutrition status of seniors with diabetes or at moderate to high risk. The services provided by FNMS cover all supervisorial districts throughout the County. One of the responding agencies indicated a funding level for three sites only that tripled the anticipated ENHANCE Program funding availability for the entire County. This would greatly impact the level of service Countywide.

FNMS has developed expertise in all aspects of service delivery for the ENHANCE Program. The agency has been instrumental in the development of the unique, award-winning, peer-acknowledged "BE WELL" Program.

Given the history of this agency and the ability to consistently remain the sole successful agency through the RFP solicitation process, the intent of the RFI to potentially save the County the administrative cost and time associated with an RFP solicitation appears warranted. It is in the best interest of the County to approve this sole source contract with FNMS because it is based on their established experience and knowledge and the lack of other satisfactory proposals/respondents.